



NEWS RELEASE

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COMMITTEE MAKES RECOMMENDATIONS ON ENERGY FACILITY SITING, LICENSING AND OPERATION

Concord, NH--The Energy Facility Siting, Licensing & Operation Study Committee recently submitted a report to Governor Judd Gregg and the General Court revising the process of siting and licensing energy facilities. The committee integrated two of the State's existing siting laws (RSA's 162-F and 162-H) into a single statute; creating one committee, the Site Evaluation Committee (SEC).

In the 1989 legislative session, the committee was created by vote on the basis of a recommendation of the State Electrical Energy Needs Planning Committee (report dated November 30, 1989). Co-chaired by Senator Edward Dupont and Representative Beverly Rodeschin, this committee made modifications and recommendations to present laws on energy facility siting, licensing and operation. Other voting members included: Senator Wayne King; Senator Mary Nelson; Senator Eleanor Podles; Representative David Dow; Representative Rick Trombley and Representative Charles Vogler. Fourteen ex-officio members representing state agencies, utilities, alternate power producers, environmental, conservation and consumer interests were also involved in the Committee.

Senator Dupont stated, "We have provided the legislature with the resources and guidance to adopt the recommended changes we have proposed. This revision will provide the public with additional opportunities to express their view on this vital issue."

The Committee made modifications to the existing law which dictates the process for facility siting and licensing. These modifications were recommended to, "...enhance the public's opportunity for input and to speed the selection process," states the report. The modifications include speeding up the selection process, increasing the jurisdiction of the SEC, decreasing the time frame, removing restrictions on direct questioning by the public in informational hearings and more. States Representative Rodeschin, "We have taken a good New Hampshire law and made it better".

"Implementing these recommendations will aid the State of New Hampshire in meeting our energy needs over the long-term", states Jonathan S. Osgood, Director of the Governor's Energy Office (GEO). "New Hampshire's siting laws have been effective and among the least intrusive in the nation, however, there was room for improvement." Continued Osgood, "While our laws on siting and licensing have been used as an example to other states, the Committee found ways

to streamline the process in order to facilitate the procedures in getting an application approved or denied."

Nine recommendations were made by the Committee suggesting:

- 1) New Hampshire General Court pass the integrated version of RSA 162-H defined as a substitute to the existing 162-H and 162-F.
- 2) That relevant state agencies take an active role as advocates of the position of the site evaluation committee in cases where other jurisdictions are deliberating.
- 3) That the state, through the site evaluation committee and all other state agencies and boards or committees, recognize energy efficiency as the policy of the state and take active steps to insure that energy resources are used effectively and efficiently.
- 4) The federal government and other jurisdictions recognize that definite time frames are necessary to insure the construction of needed energy producing or transporting facilities. Delayed consideration of inappropriate sites postpones the search for better alternatives.
- 5) The federal government and all state legislatures and agencies comprehensively review the energy implications of environmental laws and regulations.
- 6) That environmental impacts will result from construction of energy facilities and that it is the responsibility of the site evaluation committee to insure that those impacts are minimized.
- 7) State and federal agencies to accept satisfaction of the original conditions established for plant construction and operation as adequate for the issuance of a permanent operating license. Demanding compliance with additional requirements as a condition for a permanent license is not conducive to the development of an orderly marketplace.
- 8) Other state agencies whose permitting requirements may indirectly affect the operation of facilities which have been approved by the site evaluation committee to carefully evaluate rulings which may interfere with the operation of the necessary facilities.
- 9) That the general court separate RSA 162-F:14 through :26 which establish and guide the functioning of the nuclear decommissioning fund into a distinct statute. Those sections are not directly related to energy facility siting.

For more information or for copies of the report, contact the Governor's Energy Office at (603) 271-2711 or (800) 852-3466.